

REMARKS

Claims 1 and 3-17 are presented for consideration, with Claims 1 and 14-17 being independent. Claim 2 has been cancelled without prejudice or waiver of the its subject matter. No claims have been added.

In view of the above amendments and following remarks, favorable reconsideration and allowance of the above application is respectfully sought.

Claims 1-17 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Nortrup et al. (U.S. Patent No. 4,626,892) in view of Darbee et al. (U.S. Patent No. 5,959,751). In view of the amendments set forth above and the following remarks, the rejections are respectfully traversed.

Each of the independent claims in the above-identified application has been amended in substantially the same manner so as to more clearly recite the novel aspects of Applicants' invention and distinguish it over the applied art. As now set forth in each of Claims 1 and 14-17, the image processing apparatus of the present invention is arranged so as to select an item included in each of menu portions of different hierarchal levels of a displayed operation menu using an up-key and a down-key and assign a selection state of the item included in each of the menu portions of the different hierarchal levels of the operation menu to one of a plurality of function keys. As the Examiner will appreciate, the assignment of a selection state is featured in the specification at least on page 17, lines 10-27 while the items included in each of the menu portions (e.g., Figures 2-5) with function keys F1-F4.

More specifically, as featured in the claims, the menu generation means further recites the function of generating a registration menu image signal representing a registration menu having a plurality of items corresponding to the plurality of function keys. The invention is

characterized in that the menu generation means outputs the generated registration menu image signal to the display control means, the item included in each of the menu portions of the different hierarchal levels of the displayed operation menu is selected using an up-key and down-key and the assignment means assigns a selection state of the item included in each of the menu portions of the different hierarchal levels of the operation menu to one of the plurality of function keys.

The above-described features of Applicants' invention as now set forth in each of the independent claims is neither taught nor suggested by the applied art.

Nortrup et al. features a menu operation including key operations (Figures 4b-4l) but fails to teach or suggest assigning the menu operation to a function of a key. More specifically, this reference fails to teach or suggest using up and down keys to select an item included in each menu portions of different hierarchal levels of an operation menu. Thus, as shown in Figures 4b-4l, a specific key is assigned to each item included in the operation menu.

Darbee et al. provides for programming a specific function to be executed into a selected key (see Figure 18A). However, like Nortrup et al. Darbee et al. fails to teach or suggest selecting an item included in each of menu portions of different hierarchal levels of an operation menu using up and down keys.

Accordingly, it is respectfully submitted that the applied art, whether taken individually or in combination, fails to teach or suggest the invention as recited now in each of independent Claims 1 and 14-17.

None of the applied references suggest or provide any motivation for assignment of menu operations with up and down key operations to one function key since both are silent on menu operations using the up and down keys as described above.

For the foregoing reasons, each of independent Claims 1 and 14-17 are believed to be patentable over the art of record.

The remaining claims in the above application are dependent claims which depend from Claim 1 and are therefore patentable over the art of record for reasons noted above with respect to Claim 1. In addition, each recite features of the invention still further distinguishing it from the applied art. Favorable and independent consideration thereof is respectfully sought.

In view of the foregoing, reconsideration and allowance of this application is deemed to be in order and such action is respectfully requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,



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